

REMARKS

The present communication is responsive to the Official Action mailed June 22, 2010, rejecting all of the claims pending in the application ("Office Action"). Claims 17 and 18 are amended. Claims 17-18 are pending in this application.

Claims 17-18 are rejected under 35 U.S.C. 103(a) as being anticipated by U.S. Patent 6,532,589 to Proehl ("Proehl") in view of U.S. Patent 6,369,840 to Barnett ("Barnett").

Amended independent claim 17 now recites in part:

means for determining whether a date from said calendar has been selected, for determining whether a request for the EPG information has been made or an input of user schedule information has been made within a predetermined period of time, and for performing timeout if no request for the EPG information and no input of user schedule information has been made during the predetermined period of time;

. . .

the text of the schedule information of the electronic broadcast program or programs being displayed on the calendar.
(Emphasis added).

The other independent claim 18 is amended in a similar way. Support for the above-identified features can be found, for example, in FIGS. 5 and 6 and paragraphs [0002], [0079]-[0088] and [0102]-[0108] of the specification.

In accordance with present claim 17, a schedule apparatus comprises means for determining whether a date from said calendar has been selected, for determining whether a request for the EPG information has been made or an input of user schedule information has been made within a predetermined period of time, and for performing timeout if no request for the EPG information and no input of user schedule information has

been made during the predetermined period of time. Furthermore, the schedule apparatus displays the text of the schedule information of the electronic program or programs on the calendar

The Examiner admits that Proehl fails to disclose "[t]he text of the schedule information of the program or programs being displayed on the calendar" and uses Barnett to cure Proehl's deficiency. (Office Action, page 4). The rejection states that "[t]he text of the schedule information of the program or programs being displayed on the calendar (Referring to Fig. 12, the text of a broadcast event on the 21st includes "Berkeley vs. Stanford" and "12:30pm"; col. 2, lines 25-48, col. 13, lines 39-47)." (Office Action, page 5).

Applicant respectfully submits that Barnett as applied does not teach displaying the text of the schedule information of the electronic broadcast program or programs. Rather, the relied-on sections and drawing of Barnett teach displaying text of the personal event schedules.

It is also respectfully submitted that neither Proehl nor Barnett teaches a schedule apparatus comprising means for determining whether a date from said calendar has been selected and for determining whether a request for the EPG information has been made within a predetermined period of time and for making no further determination if no date from said calendar has been selected or if no request for the EPG information has been made during the predetermined period of time.

For at least the reasons described above, it is respectfully requested that the independent claims 17 and 18 are distinguishable over Proehl and Barnett, and therefore the 103 rejections on these claims should be withdrawn.

As it is believed that all of the rejections set forth in the Official Action have been fully met, favorable reconsideration and allowance are earnestly solicited.

If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that he/she telephone applicant's attorney at (908) 654-5000 in order to overcome any additional objections which he might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

Dated: September 22, 2010

Respectfully submitted,
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